

December 17, 1993
REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

DECKER V. CIVIL SERVICE COMMISSION OF THE CITY OF SAN DIEGO

We are pleased to inform you that judgment has been entered in this case upholding a termination by the Civil Service Commission ("Commission").

FACTS

Petitioner, Matthew Decker, was terminated from his employment as a Water Utilities plant technician supervisor. The termination came after an investigation exposed Mr. Decker in a conspiracy to fraudulently hire his friend. During the conspiracy, Mr. Decker helped his friend write a misleading employment application; coached his friend for the job interview; and remained on his friend's interview panel all without telling anyone. Later, when Mr. Decker was questioned about these events during the investigation, he lied about them to supervisors. He also encouraged his friend to lie about them.

THE WRIT OF ADMINISTRATIVE MANDAMUS

Petitioner asserted that he did not receive a fair hearing, that the Commission did not proceed as required by law, and that the Commission's findings were not supported by the evidence. The City argued that the termination was warranted by Mr. Decker's conduct.

On November 19, 1993, Judge Sheridan E. Reed agreed with the City's position and denied petitioner's request for a Preemptory Writ Of Mandate.

Judgment was entered on December 13, 1993. The case was handled by Deputies Debbie Bevier and Gary Brozio.

Respectfully submitted,
JOHN W. WITT
City Attorney

GWB:kjk:Lit.(043.1)

cc: Kent Lewis

Myra Anderson

RC-93-55